

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

DEFENDANT'S RESPONSE TO UNITED STATES' SENTENCING MEMORANDUM

The defendant, Ian Freeman, wishes to correct, clarify and comment on a few misstatements, errors and sarcastic remarks set forth in the Government's Sentencing Memorandum.

Freeman did not prey on the weak and helpless “elderly victims of romance scams and other frauds.” The fact of the matter is that there were literally thousands of transactions involving young people, middle-aged people and elderly people that enthusiastically engaged in obtaining cryptocurrency through Freeman.

The “full knowledge” comment is nonsense and was not proven at trial nor could it have been. “Making sure that they would never see that money once they realized they had been defrauded” was never a goal of Freeman’s.

The victims of the scam began their journey into financial chaos by allowing themselves to be conned by someone other than Freeman then going to highly regulated banking institutions and withdrawing or transferring huge amounts of money without being questioned by bank employees.

Freeman has held a “real job” for decades. He worked several years at K-Mart and Clear Channel Communications. His radio program, in fact, brought in \$10,000.00 per month in sponsorships during the years before his indictment. The money was dedicated to the Church and to reinvesting in Bitcoin. The show now brings in \$1,200.00 per month because of the criminal case and adverse media. This “hobby” is broadcast on 170 stations. Freeman has been honored by “Talkers Magazine” and his show is ranked at #25 in their “heavy hundred” rankings (talkers.com/heavyhundred). This “hobby” can be heard every day all year round. (He was awarded the “Freedom of Speech Award” in 2022).

During the trial, the Government called Chris Rietman. He testified that Freeman’s fees were in line with others in the market. The commission argument fails and no objective study was ever adduced at trial to support the Government’s contention that such a commission of between 10% and 21% was somehow indicative of a criminal enterprise. (as an aside, just take a look at credit card interest rates on a yearly basis).

Additionally, many of the individual’s transactions through Telegram were in fact young. “Elderly” does not equate with feeble, vulnerable, ignorant people. Such a generalization of people over 60 is absurd and insulting.

As stated in the Defendant’s original Sentencing Memo, he agrees with U.S. Probation. The victims in this matter were set up by a conman...not Freeman and then were betrayed by their own regulated bank institutions when, for unknown and unvetted reasons, they withdrew unusually large amounts of money from various accounts. They were not victimized by Freeman.

The issue of bail pending appeal has been addressed in a separate pleading.

Respectfully Submitted,

Dated: September 8, 2023

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CERTIFICATION

I hereby certify that on this 8th day of September 2023 that a copy of the foregoing Defendant's Response to United States' Sentencing Memorandum has been forwarded to Seth Aframe, Esq., Georgiana MacDonald, Esq and John Kennedy, Esq., of the U.S. District Attorney's Office, through the Court's electronic filing system.

/s/ Mark L. Sisti, Esq.
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